

Text Amendment Application No.
Advisor to the Zoning Commission
Change in Footnote - Use Item No. 72

TEXT AMENDMENT NO.
THE COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON
IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended, after due report, notice and hearing, does hereby amend the Boston Zoning Code as follows:

1. By striking out, in Use Item No. 72 of Table A of Section 8-7, respecting accessory parking, the letters A* A* A*/ A+ A+ / A+ A+ A+ and inserting in place thereof the following letters:

A+* A+* A+* / A+ A+ / A+ A+ A+

2. By striking out, in Section 6-3A, respecting requirements for approval of parking facilities in a restricted parking district, the second condition lettered "b", and inserting in place thereof the following condition:
 - b. It will replace existing off-street parking spaces in one or more nearby parking facilities, or it will replace legal on-street parking spaces that have been physically eliminated through permanent modification or demolition.



PRESENT RESTRICTED PARKING DISTRICT

PROPOSED RESTRICTED PARKING DISTRICT ———

MEMORANDUM

July 1, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: AUTHORIZATION TO PETITION THE ZONING COMMISSION FOR A MAP AMENDMENT TO EXTEND THE RESTRICTED PARKING DISTRICT AND A TEXT AMENDMENT RELATED THERETO

The Environmental Protection Agency has established a Parking Freeze Area which includes Boston Proper, the Fenway, Kenmore Square, the part of Jamaica Plain west of Huntington Avenue, the South End, land along Fort Point Channel in South Boston, and the Columbia Point/Savin Hill sections of Dorchester. There is another Parking Freeze Area at Logan Airport, but its regulations are being administered at the State level. This memo pertains only to land indicated on the attached map.

In this Parking Freeze Area, new "commercial" parking facilities are allowed only if they replace discontinued "commercial" parking facilities on a space-by-space basis. "Commercial" parking is defined as parking open to the general public for a fee. All types of employee parking, parking for which no fee is charged, and residential parking are exempt from this freeze.

This narrow definition of commercial parking has made it difficult for the City to administer the freeze in the areas outside of Boston Proper, particularly the Fenway and Columbia Point. In these areas, new "commercial" parking is needed to serve visitors to the medical and educational institutions, but only "non-commercial" spaces (employee or free spaces) are available for trade-off. Thus, the need for visitor parking cannot legally be accommodated if the freeze is in effect, thereby increasing potential parking demands on local streets.

The EPA was made aware of these problems, and thus provided in their revised regulations of June, 1975, that the effective freeze area could be reduced to include only Boston Proper if the City of Boston would institute other suitable parking controls for the part of the original freeze area beyond Boston Proper. The Mayor's Office, the Traffic and Parking Department, the Boston Conservation Commission (which has taken over the functions of the Air Pollution Board) and the BRA Transportation Planning Department therefore recommend that the Restricted Parking District be extended to include the original EPA freeze area as the alternative to the more stringent EPA freeze in the area outside of Boston Proper.

The Restricted Parking District was adopted by the Zoning Commission in 1973 and is now mapped in Boston Proper. Its regulations are more liberal than the freeze regulations in that conditional use permits for new parking facilities may be granted on a wider range of grounds. Such facilities must either (1) replace discontinued parking spaces, with no limitation as to whether discontinued spaces are "commercial" spaces, or (2) serve a traffic demand not adequately served by public transportation, or (3) be associated with a use which does not contribute significantly to peak traffic flows, or (4) be a temporary use of land for which a serious intent to reuse has been demonstrated. By extending the Restricted Parking District, the City can assure that parking demands in these areas are met in the most appropriate way, without the absolute freeze requirement.

The extension of the Restricted Parking District includes areas that are in single family (S) and general residential (R) districts. This necessitates a text amendment to add a symbol in the S and R columns of Use Item 72 - accessory parking - indicating that parking that is accessory to a non-residential use is conditional in the Restricted Parking District.

A second change in the text of the Zoning Code would bring it into agreement with EPA regulations by allowing legal on-street parking spaces that are permanently discontinued to be credited toward new parking spaces. Currently the code allows such credit only for discontinued off-street parking spaces.

I recommend that the Advisor to the Zoning Commission be authorized to petition said Commission for a map amendment to extend the Restricted Parking District as shown on the attached map, and for text changes described above. A suitable vote follows.

VOTED: That the Boston Redevelopment Authority hereby authorizes the Advisor to the Zoning Commission to petition said Commission for a map amendment that would extend the Restricted Parking District as shown on the attached map, and for a related text amendment to change a footnote notation under Use Item 72, accessory parking, and to allow legal on-street parking spaces that are permanently discontinued to be credited toward new parking spaces.